

Merely labeling the thicknesses does not constitute adding new matter. See MPEP 2163(6)-(7), for example. As indicated in MPEP 2163.07, amendments to an application which are supported in the original description are NOT new matter.

Furthermore, this objection is moot in view of the amendments to the specification. Accordingly, Applicants request withdrawal of the objection to the July 17 Amendment under 35 U.S.C. §132.

The Office Action rejects claims 1-6, 8, 10-13 and 15-22 under 35 U.S.C. §103(a) over Negita (GB 2002-955) in view of Nagai (U.S. Patent No. 4,405,875). This rejection is respectfully traversed.

Negita does not disclose or suggest a piezoelectric resonator element fixed to the base of a housing, and an opening being formed at a position of the base opposite to one of the resonator arms of a piezo-electric resonator element, as recited in claim 8. As admitted by the Office Action, Negita does not disclose any opening in the housing 8.

Furthermore, Nagai also does not disclose or suggest these feature recited in claim 8 missing from Negita. In fact, Nagai does not show any opening being formed at a position of a base opposite to one of the resonator arms of a piezo-electric resonator element. Instead, Nagai discloses a window arranged in a lid. See Figs. 13A and 30 of Nagai, for example. In Nagai, a transparent glass is formed in this window in advance.

Claim 8 recites a piezoelectric resonator element fixed to the base of a housing, and an opening being formed at a position of the base opposite to one of the resonator arms of a piezo-electric resonator element. Accordingly, in the claimed invention, the resonator arm and the opening can be positioned with high accuracy, for example, and the size of the opening can be minimized. Contrary to the window having the transparent glass of Nagai, the opening as recited in claim 8 may be used for frequency adjustment and for sealing.

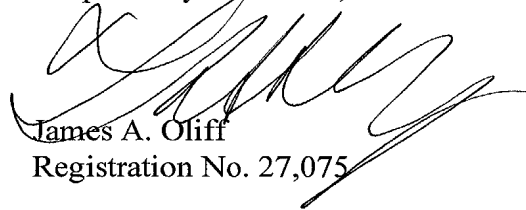
Contrary to the claimed invention, in Nagai, because the window is arranged in the lid, a resonator arm of a resonator element and an opening cannot be easily positioned, an enlarged opening is required, and thus, sealing reliability, for example, deteriorates. Accordingly, even if combined, Negita and Nagai do not disclose or suggest the features of claim 8.

For at least the above reasons, claim 8 would not have been obvious over Negita and Nagai. Because claims 1-6, 10-13 and 15-22 depend from claim 8, claims 1-6, 10-13 and 15-22 also would not have been obvious over Negita and Nagai. Accordingly, Applicants request withdrawal of the rejection of claims 1-6, 8, 10-13 and 15-22 under 35 U.S.C. §103.

Applicants submit that the application is in condition for allowance. Prompt consideration and due allowance are earnestly solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

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